



Miedel & Mysliwiec LLP

VIA ECF

The Honorable Richard M. Berman  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

August 28, 2023

USDC/NY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/29/23

RE: *United States v. Ricardo Ferguson*  
22-Cr-135-RMB

Dear Judge Berman:

The Court is aware from prior correspondence of Mr. Ferguson's medical condition. I write now to respectfully request that Mr. Ferguson be permitted to attend the September 12 conference by telephone, rather than in person. The government takes no position on the request.

Given his lack of mobility and the pain he feels in his legs, traveling from the Nursing Home to the Courthouse for the conference feels very burdensome to Mr. Ferguson. He has therefore asked me if he can waive his personal appearance and listen to the conference by phone. He understands that he has a right to appear and voluntarily waives that appearance.

Thank you for the Court's consideration.

Sincerely,

/s/

cc: Government Attorneys  
*via ECF*

Florian Miedel
<i>Counsel for Ricardo Ferguson</i>
<i>Application granted.</i>
SO ORDERED:
Date: <u>8/29/23</u>
<i>Richard M. Berman</i>
Richard M. Berman, U.S.D.J.